IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 6017 of 2005

Between:

1 M/s.KAS Wines, Licence No.478/98-99 Angallu, K.Fazurullah, s/o K.Akbar Saheb, r/o Kadiri Road, Angallu, Chittoor District.
2 M/s.Sri Molaka Wines, Licence No.178/99-99, Angallu, M.Gopal Reddy, s/o Chinnappa Reddy, r/o Molakavasipalli, Angallu, Chittoor District.
3 M/s.Manjunatha Wines, Licence No.93/98-99, Angallu, S.Suresh Reddy, s/o Narayana Reddy, r/o Angallu, Chittoor District.
4 M/s.Sakthi Wines, Licence No.517/98-99 PTM S.Krishnappa, s/o Narasappa, r/o Kuruvavandlapalli, P.T.M.Mandal, Chittoor District.
5 M/s.Lahari Wines, Licence No.348/98-99, Mandanapalli, B.Ravindra, s/o Venkata Ramana, r/o D.No.1-439, Bangalore Road, Madanapalli,

Chittoor District.
6 M/s.Balaji Wines, Licence No.26/98-99 Madanapalli, N.V.Prasad, s/o N.Narayana Swami, r/o D.No.13-276, Avenue Road, Madanapalli, Chittoor District.
7 M/s.Sri Manjunatha Wines, Licence No.23/2002-03, P.T.M. K.Mohan Reddy, s/o K.Dasanna, r/o D.No.2-117, P.T.M.Village & Mandal, Chittoor District.

..... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner, Prohibition & Excise, Govt. of A.P., Hyderabad.
3 The Excise Superintendent, Prohibition & Excise, Chittoor, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring G.O.Ms.No.184, dt.7-2-2005 issued by the Government of

Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licensees in accordance with law, and to pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.MD.SALEEM

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

Challenging G.O. Ms. No. 184 Revenue (Excise-II) Department, dated 7.2.2005, petitioners fled this writ petition.

It is represented by both the counsel that a batch of Writ Petitions, covering the same subject matter, have been allowed by a learned single Judge of this court, and on appeal, the order of the learned single Judge was upheld by a Division Bench of this Court in W.A. Nos. 344 of 2005 and batch and hence this writ petition is also to be allowed.

In view of the said fact, this writ petition is also allowed at the stage of admission in terms of the observations made in the W.A. No. 344 of 2005 and batch. No costs.

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kvsn 28-03-2005

To

1 The Special Chief Secretary, Revenue (Excise-II) Department, Govt. of Andhra Pradesh, Secretariat, Hyderabad.

2 The Commissioner, Prohibition & Excise, Govt. of A.P., Hyderabad.

3 The Excise Superintendent, Prohibition & Excise, Chittoor, Chittoor District.

4 Two CCs to GP for Proh. & Excise, High Court Buildings, Hyderabad.

5 Two CD copies.